

February 26, 2007



Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 2876 - Examiner Walsh, Daniel I

FROM: Stephen B. Ackerman, Reg. No. 37,761
28 Davis Avenue
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 09/523,990
File Date: 03/13/2000
Inventor: Mou-Shiung Lin
Examiner: Walsh, Daniel I
Art Unit: 2876
Title: Method of Manufacture and Identification of Semiconductor
Chip Marked for Identification with Internal Marking Indicia and
Protection Thereof by Non-Black Layer and Device Produced
Thereby"

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated Jan. 25, 2007. In that office action, applicant was required under 35 U.S.C. 121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Feb. 26, 2007.

Signature 
Stephen B. Ackerman, Reg. No. 37,761

Date: Feb. 26, 2007

to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently no claim is generic.

The species stated are:

- I) Specification Embodiment of a chip package with a chip with a bottom surface with a bump and a mark (FIG. 33), which reads on Claims 26-32, and
- II) Specification Embodiment of a chip having a top surface with a mark and a bottom surface with pads (FIG. 31), which reads on Claims 33-37, and
- III) Specification Embodiment of a chip package with a chip with a wire bonded wire and corresponding protecting structure (FIG. 38), which reads on Claims 38-43, and
- IV) Specification Embodiment of a chip package with multiple bumps between the chip and substrate and the corresponding protecting structure (FIG. 37), which reads on Claims 44-49, and
- V) Specification Embodiment of a device with a chip having a top surface with a mark and corresponding protecting structure (FIG. 32), which reads on Claims 50-52.

Applicant provisionally elects to be examined the species described by the Examiner as Species IV) Specification Embodiment of a chip package with multiple bumps between the chip and substrate and the corresponding protecting structure (FIG. 37) , which reads on Claims 44-49. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if the multiple species are separately examined. Furthermore, the field of search must necessarily cover all species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'SBA', with a long horizontal flourish extending to the right.

Stephen B. Ackerman, Reg. No. 37,761
(845) 452-5863